Issued by the UNITED STATES DISTRICT COURT

Southern

District of

New York

KRISTEN BURKE,

SUBPOENA IN A CIVIL CASE CASE NUMBER: 07 Civ. 3732 (GBD)

Plaintiff,

V.

DANIEL RODRIGUEZ,

Defendant.

To:

MORGAN STANLEY

1585 Broadway, 38th Floor New York, New York 10036

I YOU ARE COMMANDED to appear in the above United States District Court action at the place, date, and time specified below to testify in the above case.

X YOU ARE COMMANDED to produce the following:

Any/all documents, emails, instant messages, voicemails or other data and/or documents, in Morgan Stanley's possession, reflective of communications by and between the parties to this action for the period January 1, 2007 through May 3, 2007.

PLACE OF PRODUCTION: Robinson & Yablon, P.C. 232 Madison Avenue, Suite 1200 New York, New York 10016

DATE AND TIME On or before May 29, 2007

Any organization not a party to this suit that is subpoenzed for the taking of a deposition shall designate one or more officers, directors or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated on matters on which the person will testify. Federal Rules of Procedure 30 (b)(6)

ISSUING OFFICER SIGNATURE AND TITTLE (INDIDCATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

an, P.C. Robin num KRISTEN BURKE

Dated: May 15, 2007

CERS NAME ADDRESS and PHONE NUMBER

Andrews Laskin (AL9379) 232 Madeon Avenue, Suite 1200,

New York, N.Y. 10016 (212) 725-8566